



WEB COPY



Crl.O.P.No.454 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.454 of 2025

K.Murugan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
E-1, Mylapore Police Station,
Chennai.

(Crime No.402 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioner on bail, in connection with Crime No.402 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.P.Sundararajan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

Petition seeking bail in respect of Crime No.402 of 2024 registered for the offences punishable under Sections 126(2), 296(b), & 109 of BNS, is on board for consideration.



CrI.O.P.No.454 of 2025

2. The incarceration of the petitioner being from 18.12.2024, pleading innocence on the part of the petitioner and false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that the petitioner is in no way connected with the alleged offence, however, due to previous enmity, the de facto complainant has given a false complaint against the petitioner. He also submitted that out of eight previous cases registered against the petitioner, six of them were disposed. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that due to previous enmity, the petitioner along with other accused waylaid the de facto complainant, abused him in filthy language and attempted to murder him by assaulting on his fore head with knife. He further submits that the case is under investigation and the injured has been discharged from the hospital. He also submits that eight previous cases are pending against the petitioner.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioner



CrI.O.P.No.454 of 2025

with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **XVIII Metropolitan Magistrate, Saidapet, Chennai**, and on further conditions that :

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall stay at Ranipet and report before the Inspector of Police, Arcot Police Station, everyday at 10.30 a.m., until further orders. It is made clear that the petitioner shall not enter into the jurisdictional limits of the respondent Police, until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on



WEB COPY



Crl.O.P.No.454 of 2025

A.D.JAGADISH CHANDIRA.,J.

ham

bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];***

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

09.01.2025

ham

To

1. The XVIII Metropolitan Magistrate,
Saidapet, Chennai.
2. The Inspector of Police,
E-1, Mylapore Police Station,
Chennai.
3. The Superintendent,
Central Prison,
Puzhal, Chennai.
4. The Inspector of Police,
Arcot Police Station,
Ranipet.
5. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.454 of 2025